IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

FIRST APPEAL NO. 863 OF 1996.

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

None for the Appellant
Shri S.R.Singh for the Respondent No.3.

CORAM : ABHAY S.OKA, J.
DATED : 13th December 2007.

P.C.:

1. When this Appeal was called out on 10th December 2006 none appeared for the Appellant. However, Advocate for Respondent No.3 was present. Today when the Appeal is called out, none appeared for the Appellant. The Advocate for the 3rd Respondent is present.

2. The claim petition filed by the Appellant under section 110A of the Motor Vehicle Act, 1939 has been dismissed on merits. The 1st Respondent herein is the driver of the alleged offending truck and the 2nd Respondent is the owner. The record of the Appeal shows that the Appeal stands dismissed as against the 1st and 2nd Respondents and it survives only against the 3rd Respondent, which is the insurer of the truck. As the Appeal stands dismissed as against the owner of the truck allegedly involved in the accident, the Appeal will not survive and the same is accordingly dismissed.

Judge.